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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,545	01/18/2002	Falko Tesch	P-5714	7142
7590	09/14/2005		EXAMINER	
Serge J. Hodgson Gunnison, McKay & Hodgson, L.L.P. Suite 220 1900 Garden Road Monterey, CA 93940			CAMPBELL, JOSHUA D	
			ART UNIT	PAPER NUMBER
			2178	
DATE MAILED: 09/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
10/054,545	TESCH ET AL.	
Examiner	Art Unit	
Joshua D. Campbell	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on 28 June 2005.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1-6,8-22,24,25 and 27 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-6,8-22,24,25 and 27 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
    Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
    Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to communications: Amendment filed on 06/28/2005.
2. Claims 1-6, 8-22, 24, 25, and 27 are pending in the case. Claims 1, 12, 16, 17, 18, 21, 24, and 27 are independent claims. Claims 7, 23, and 26 have been cancelled. Claims 1, 5, 12, 16-18, 20-22, 24, 25, and 27 have been amended.
3. The rejection of claims 1-4, 9-12, 14, 15, 21, and 24 under 35 U.S.C. 103(a) as being unpatentable over Madduri (US Patent Number 6,567,830, filed on February 12, 1999) in view of Durst et al. (hereinafter Durst, "Ruby Annotation" W3C Working Draft from December 17, 1999, included in IDS) has been withdrawn due to amendments.
4. The rejection of claims 5-7, 13, 16, 22-23, and 25-27 under 35 U.S.C. 103(a) as being unpatentable over Madduri (US Patent Number 6,567,830, filed on February 12, 1999) in view of Durst et al. (hereinafter Durst, "Ruby Annotation" W3C Working Draft from December 17, 1999, included in IDS) as applied to claims 1, 12, 21 and 24 above, and further in view of Newbold et al. (hereinafter Newbold, US Patent Number 5,576,955, issued on November 19, 1996) has been withdrawn due to amendments.
5. The rejection of claims 8 and 17-20 under 35 U.S.C. 103(a) as being unpatentable over Madduri (US Patent Number 6,567,830, filed on February 12, 1999) in view of Durst et al. (hereinafter Durst, "Ruby Annotation" W3C Working Draft from December 17, 1999, included in IDS) as applied to claims 1 above, and further in view

of Collins et al. (hereinafter Collins, US Patent Number 5,594,642, issued January 14, 1997) has been withdrawn due to amendments.

***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 18-20 remain rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are non-statutory because the interface in the claims is not tangibly embodied in a manner so as to be executable. Further, a collection of cells and buttons, *per se*, is an abstract idea, directed solely to non-functional descriptive material, which is also non-statutory. The phrase "A user interface for a computer system comprising..." is still directed to a user interface, which is a collection of cells and buttons, *per se*, an abstract idea, directed solely to non-functional descriptive material, which remains non-statutory. Specifying that the user interface is for a computer system does not change the interpretation of the preamble of these claims, which is still simply directed to a user interface.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-6, 9-16, 21, 22, 24, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madduri (US Patent Number 6,567,830, filed on February 12, 1999) in view of Durst et al. (hereinafter Durst, "Ruby Annotation" W3C Working Draft from December 17, 1999, included in IDS) further in view of Newbold et al. (hereinafter Newbold, US Patent Number 5,576,955, issued on November 19, 1996).

**Regarding independent claim 1,** Madduri discloses a method in which a first base text is selected from a document and displayed in a cell, which allows this first base text to be altered, the alteration being the text that appears in the cell (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri). Madduri also discloses that a user can add an annotation the base text (column 6, line 66-column 7, line 12 of Madduri). Madduri does not disclose a method in which the annotation is ruby text. However, Durst discloses that ruby text was a well-

known annotation type (pages 2-5, Section 1.1 "What is a Ruby?" of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri with the teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in publications.

Neither Madduri nor Durst disclose a method in which the base text cell and ruby text cell are in a separate window than the working document. However, Newbold discloses a method in which the base text and annotation text are interfaced with in a separate window than the document, which causes a need for changing focus between the two windows in order to alter base text (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

**Regarding dependent claim 2,** Madduri discloses a method in which the annotation text can be edited (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri).

**Regarding dependent claims 3-4,** Madduri disclosed a method in which the annotation text is added to the display of the document, which already contains the base text (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri).

**Regarding dependent claims 5-6,** neither Madduri nor Durst disclose a method in which the base text cell and ruby text cell are in a separate window than the working document. However, Newbold discloses a method in which the base text and annotation text are interfaced with in a separate window than the document, which causes a need for changing focus between the two windows in order to alter base text (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

**Regarding dependent claim 9,** Madduri discloses a method in which the selection area may be adjusted around a more specific portion than originally (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri).

**Regarding dependent claims 10-11,** Madduri discloses a method in which the working document is a text document comprising text (Figure 5 and 6 of Madduri).

**Regarding independent claim 12,** Madduri discloses a method in which a first base text is selected from a document and displayed in a cell, and a second base text may also be selected and appear in a cell (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri). Madduri also discloses that a user can add an annotation the base texts (column 6, line 66-column 7, line 12 of Madduri). Madduri does not disclose a method in which the annotation is ruby text. However, Durst discloses that ruby text was a well-known

annotation type (pages 2-5, Section 1.1 "What is a Ruby?" of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri with the teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in publications.

Neither Madduri nor Durst disclose a method in which the base text cell and ruby text cell are in a separate window than the working document. However, Newbold discloses a method in which the base text and annotation text are interfaced with in a separate window than the document, which causes a need for changing focus between the two windows in order to alter base text (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

**Regarding dependent claim 13,** neither Madduri nor Durst disclose a method in which the base text cells and ruby text cells are in a separate window than the working document. However, Newbold discloses a method in which the base text and annotation text are interfaced with in a separate window than the document, which causes a need for changing focus between the two windows in order to alter base text (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to

have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

**Regarding dependent claim 14,** Madduri disclosed a method in which the annotation text is added to the display of the document, which already contains the base text (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri).

**Regarding dependent claim 15,** Madduri discloses a method in which a first base text is selected from a document and displayed in a cell, and a second base text may also be selected and appear in a cell (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri). Madduri also discloses that a user can add an annotation the base texts (column 6, line 66-column 7, line 12 of Madduri). Madduri does not disclose a method in which the annotation is ruby text. However, Durst discloses that ruby text was a well-known annotation type (pages 2-5, Section 1.1 “What is a Ruby?” of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri with the teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in publications.

**Regarding dependent claim 16,** Madduri discloses a method in which a first base text is selected from a document and displayed in a cell, and a second base text may also be selected and appear in a cell (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri). Madduri

also discloses that a user can add an annotation the base texts (column 6, line 66-column 7, line 12 of Madduri). Madduri does not disclose a method in which the annotation is ruby text. However, Durst discloses that ruby text was a well-known annotation type (pages 2-5, Section 1.1 “What is a Ruby?” of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri with the teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in publications. Neither Madduri nor Durst disclose a method in which the document is searched for all selected base text and all of the base text is display in cells. However, Newbold discloses a method in which all of the designated base text in a document is found and displayed in cells (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

**Regarding independent claim 21,** the claim incorporates substantially similar subject matter as claim 1. Thus, the claim is rejected along the same rationale as claim 1.

**Regarding dependent claim 22,** neither Madduri nor Durst disclose a method in which the base text cell and ruby text cell are in a separate window than the working document. However, Newbold discloses a method in which the base text and annotation text are interfaced with in a separate window than the document, which

causes a need for changing focus between the two windows in order to alter base (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

**Regarding independent claim 24,** the claim incorporates substantially similar subject matter as claim 1. Thus, the claim is rejected along the same rationale as claim 1.

**Regarding dependent claim 25,** neither Madduri nor Durst disclose a method in which the base text cell and ruby text cell are in a separate window than the working document. However, Newbold discloses a method in which the base text and annotation text are interfaced with in a separate window than the document, which causes a need for changing focus between the two windows in order to alter base text (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

**Regarding independent claim 27,** Madduri discloses a method in which a first base text is selected from a document and displayed in a cell, which allows this first base text to be altered, the alteration being the text that appears in the cell (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri). Madduri also discloses that a user can add an annotation the base text

(column 6, line 66-column 7, line 12 of Madduri). Madduri does not disclose a method in which the annotation is ruby text. However, Durst discloses that ruby text was a well-known annotation type (pages 2-5, Section 1.1 “What is a Ruby?” of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri with the teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in publications.

Neither Madduri nor Durst disclose a method in which the base text cell and ruby text cell are in a separate window than the working document. However, Newbold discloses a method in which the base text and annotation text are interfaced with in a separate window than the document, which causes a need for changing focus between the two windows in order to alter base text (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Durst with the method of Newbold because it would have allowed annotations to be viewed as a list and in turn handled collectively.

10. Claims 8 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madduri (US Patent Number 6,567,830, filed on February 12,1999) in view of Durst et al. (hereinafter Durst, “Ruby Annotation” W3C Working Draft from December 17, 1999, included in IDS) further in view of Newbold et al. (hereinafter Newbold, US Patent Number 5,576,955, issued on November 19, 1996) as applied to claims 1 above, and

further in view of Collins et al. (hereinafter Collins, US Patent Number 5,594,642, issued January 14, 1997).

**Regarding dependent claim 8**, none of Madduri, Durst, or Newbold disclose a method in which it is determined whether or not an automatic ruby determination function is on or off. However, Collins discloses a method in which an automatic annotation function is used and is considered off if the program is in manual mode, on if it is in automatic mode (column 3, line 64-column 4, line 22 and column 5, line 10-column 6, line 42 of Collins). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri, Durst, and Newbold with the method of Collins because it would have allowed the user the ability to choose between the more efficient automatic mode and the more customizable manual mode.

**Regarding independent claim 17**, Madduri discloses a method in which a first base text is selected from a document and displayed in a cell (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri). Madduri also discloses that a user can add an annotation the base text (column 6, line 66-column 7, line 12 of Madduri). Madduri does not disclose a method in which the annotation is ruby text. However, Durst discloses that ruby text was a well-known annotation type (pages 2-5, Section 1.1 “What is a Ruby?” of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri with the teachings of Durst because it would

have provided easy to find, short annotation in the immediate vicinity of content in publications.

None of Madduri, Durst, or Newbold disclose a method in which it is determined whether or not an automatic ruby determination function is on or off or parsing the text into individual words. However, Collins discloses a method in which an automatic annotation function is used and is considered off if the program is in manual mode, on if it is in automatic mode (column 3, line 64-column 4, line 22 and column 5, line 10-column 6, line 42 of Collins). Collins also discloses that the annotations may be found on a word-by-word basis as the document is parsed (column 5, line 10-column 6, line 42 of Collins). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri, Durst, and Newbold with the method of Collins because it would have allowed the user the ability to choose between the more efficient automatic mode and the more customizable manual mode.

**Regarding independent claim 18 and dependent claims 19 and 20,** Madduri discloses a method in which a first base text is selected from a document and displayed in a cell (Figure 5 and 6, column 5, lines 24-67, column 6, lines 30-49 and column 6, line 66-column 7, line 12 of Madduri). Madduri also discloses that a user can add an annotation the base text (column 6, line 66-column 7, line 12 of Madduri). Madduri does not disclose a method in which the annotation is ruby text. However, Durst discloses that ruby text was a well-known annotation type (pages 2-5, Section 1.1 "What is a Ruby?" of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri with the

teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in publications.

None of Madduri, Durst, or Newbold disclose a method in which it is determined whether or not an automatic ruby determination function is on or off or parsing the text into individual words. However, Collins discloses a method in which an automatic annotation function is used and is considered off if the program is in manual mode, on if it is in automatic mode (column 3, line 64-column 4, line 22 and column 5, line 10-column 6, line 42 of Collins). Collins also discloses that the annotations may be found on a word-by-word basis as the document is parsed (column 5, line 10-column 6, line 42 of Collins). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri, Durst, and Newbold with the method of Collins because it would have allowed the user the ability to choose between the more efficient automatic mode and the more customizable manual mode.

### ***Response to Arguments***

11. Applicant's arguments filed 06/28/2005 have been fully considered but they are not persuasive.

In regards to the applicant's arguments on pages 10-13, regarding the limitations of cancelled claim 7, which now exist in independent claims 1, 12, 16, 21, 24, and 27 and the specific limitations of claim 16, the examiner contends that the current rejection of those claims and the previous rejection of the limitations in those claims both remain proper and thus stand. Newbold discloses a method in which multiple windows may be

used to edit the base text in a document (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). For instance, the base text in a document may be selected in figure 5A. In order to edit the base text the user of the system proposed by Newbold would use the windowed area shown in Figure 5B could be thought of as the first window of the invention, which would inherently include changing focus due to the fact that user can not use a different window without changing focus. In figure 5B the base text is edited to what the user would like it to be and the base text and its corresponding annotation are displayed in the “Error List” shown in figure 5B, the cells being separated by the arrows. The user makes selections in figure 5A while proofreading the document, and the error list is generated based on the remarks and selections of the user (Figures 5A and 5B and column 6, line 25-column 7, line 15 of Newbold). Thus, the limitations of claim 7, which now exist in the dependent claims listed continue to be taught by the art referenced in the rejection, and the motivation for the combination is provided in the cited section of the Newbold reference. The examiner does however agree that the Newbold references annotation text is not explicitly cited as being “ruby text”, however as stated in the original rejection of the independent claims and maintained in the new rejection, ruby text was a well-known annotation type (pages 2-5, Section 1.1 “What is a Ruby?” of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Newbold with the teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in publications. This motivation for this obvious combination is found in the

cited section of the Durst reference. To sum up the examiner's position on this matter, Madduri and Newbold disclose the use of annotation text in a way that corresponds with the claimed use of ruby text, while Durst provides proof that ruby text exists as a well known type of annotation text which provides an advantage over regular annotations, thus providing an obvious reason to combine the use of ruby text with the methods of Madduri and Newbold.

Regarding the applicant's arguments on pages 13-15, regarding claims 8, and 17-20 and the limitations incorporated with the automatic toggle function, the examiner contends that the current rejection of those claims is proper. Collins discloses a method in which it is determined whether or not an automatic translation (annotation) function is on or off, if it is on the translation function breaks the base text into individual words, which is inherently required to perform word-by-word translation, and the base text is annotated with the translated word, which would allow the user to look at both the translated annotation and the original word to determine if the user knew the translation to be improper (column 3, line 64-column 4, line 22 and column 5, line 10-column 6, line 42 of Collins). Once again, the examiner does not contend that the translated annotation text is ruby text, however ruby text was a well-known annotation type (pages 2-5, Section 1.1 "What is a Ruby?" of Durst). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Madduri and Collins with the teachings of Durst because it would have provided easy to find, short annotation in the immediate vicinity of content in

publications. This motivation for this obvious combination is found in the cited section of the Durst reference. Thus, the claims remain rejected as presented above.

***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC  
September 9, 2005

William L. Bashore  
WILLIAM BASHORE  
PRIMARY EXAMINER

9/11/2005